

MAR 13 2013

SENATE RESOLUTION

REQUESTING THE UNITED STATES DEPARTMENT OF EDUCATION AND THE HAWAII DEPARTMENT OF EDUCATION TO DEVELOP AND IMPLEMENT A STANDARDIZED ASSESSMENT TEST IN THE HAWAIIAN LANGUAGE THAT MEETS OR EXEMPTS HAWAIIAN LANGUAGE IMMERSION SCHOOLS FROM THE STANDARDS OF THE FEDERAL NO CHILD LEFT BEHIND ACT OF 2001 AND MORE ACCURATELY MEASURES THE ACADEMIC ACHIEVEMENT OF HAWAIIAN LANGUAGE IMMERSION STUDENTS.

1 WHEREAS, the Hawaiian language has a unique importance to
2 the State and is recognized under article XV, section 4, the
3 Hawaii State Constitution as an official language of the State;
4 and

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6 WHEREAS, article X, section 4, of the Hawaii State
7 Constitution requires that the State promote the study of the
8 Hawaiian culture, history, and language and provide for a
9 Hawaiian education program consisting of language, culture, and
10 history in public schools; and

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12 WHEREAS, the Hawaiian language was once a thriving language
13 used by Native Hawaiians and foreigners alike; and

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15 WHEREAS, by the late twentieth century, the Hawaiian
16 language was pushed to the brink of extinction due to a number
17 of factors, including an 1896 law that functioned to ban the
18 speaking of the Hawaiian language in Hawaii's schools; and

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20 WHEREAS, the Hawaiian language was saved by several
21 historic initiatives, including the Department of Education's
22 Hawaiian language immersion program, which was launched in the
23 1980s; and

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25 WHEREAS, today, the Hawaiian language immersion program is
26 offered at twenty-one public schools and educates more than two
27 thousand students in kindergarten through the twelfth grade; and

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29 WHEREAS, the assessments required by the No Child Left
30 Behind Act of 2001 (No Child Left Behind) present a challenge
31 for the Hawaiian immersion program; and



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2 WHEREAS, because English is not formally introduced in the
3 Hawaiian immersion program classrooms until the fifth grade,
4 third and fourth graders take assessments in the Hawaiian
5 language to comply with the requirements of No Child Left
6 Behind; and
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8 WHEREAS, Hawaiian language immersion students in the fifth
9 grade are then expected to take the Hawaii State Assessment in
10 English for the first time; and
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12 WHEREAS, Hawaiian language immersion educators find these
13 English language-based standardized assessment unfair and are
14 calling for the development of standardized assessments in the
15 Hawaiian language, especially because the Hawaii State
16 Assessments are tied to the performance indicators and
17 benchmarks pursuant to No Child Left Behind; and
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19 WHEREAS, there is considerable pressure for publicly funded
20 schools to achieve No Child Left Behind standards because
21 schools that fail to achieve adequate yearly progress in student
22 proficiency for two consecutive years may be subject to varying
23 sanctions, including state intervention and the replacement of
24 school staff; and
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26 WHEREAS, furthermore, some Hawaiian language immersion
27 educators are requesting the federal government to grant an
28 exemption from English language-based testing standards and
29 other No Child Left Behind mandates because these requirements
30 present obstacles for Hawaiian language immersion schools and
31 potentially jeopardize these Hawaiian language immersion
32 programs that are vital to maintaining and perpetuating the
33 Native Hawaiian language; and
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35 WHEREAS, Hawaiian language immersion educators and
36 advocates urge the federal government to develop a fair method
37 of testing Hawaiian language immersion students; and
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39 WHEREAS, in December 2012, 'Aha Kauleo, the statewide
40 advisory council for the Department of Education's Hawaiian
41 language immersion program, urged parents of Hawaiian language
42 immersion students to not allow their children to take the



1 Hawaii State Assessment translated in the Hawaiian language
2 because the test was inaccurate; and
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4 WHEREAS, advocates state that the No Child Left Behind
5 standards conflicts with the Native American Languages Act of
6 1990, which defines Native Americans as Indians, Native
7 Hawaiians, or Native Pacific Islanders; and
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9 WHEREAS, the Native American Languages Act of 1990
10 recognizes that the traditional languages of Native Americans
11 are an integral part of their cultures and identities and form
12 the basic medium for the transmission, and thus survival, of
13 Native American cultures, literatures, histories, religions,
14 political institutions, and values; and
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16 WHEREAS, the Native American Languages Act of 1990 also
17 declares as a federal policy the encouragement and support for
18 the use of Native American languages as a medium of instruction
19 in order to encourage and support:
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- 21 (1) Native American language survival;
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- 23 (2) Educational opportunity;
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- 25 (3) Increased student success and performance;
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- 27 (4) Increased student awareness and knowledge of their
28 culture and history; and
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- 30 (5) Increased student and community pride; and
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32 WHEREAS, accordingly, the Department of Education must
33 provide the students with an assessment system that more
34 accurately measures their academic achievement; and
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36 WHEREAS, the Legislature is aware that the Board of
37 Education is currently reviewing issues regarding assessments as
38 part of its development of a comprehensive Hawaiian studies
39 program within Hawaii's public school system; now, therefore,
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41 BE IT RESOLVED by the Senate of the Twenty-seventh
42 Legislature of the State of Hawaii, Regular Session of 2013,
43 that the United States Department of Education and the Hawaii
44 Department of Education are requested to develop and implement a



1 standardized assessment test in the Hawaiian language that meets
2 or exempts Hawaiian language immersion school from the standards
3 of the federal No Child Left Behind Act of 2001 and more
4 accurately measures the academic achievement of Hawaiian
5 language immersion students; and
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7 BE IT FURTHER RESOLVED that in developing a standardized
8 assessment test in the Hawaiian language, the United States
9 Department of Education and the Hawaii Department of Education
10 consult with representatives from the following entities:
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- 12 (1) Hawaiian language immersion schools;
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- 14 (2) The University of Hawaii System;
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- 16 (3) The Office of Hawaiian Affairs;
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- 18 (4) Kamehameha Schools; and
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- 20 (5) Any other entity or organization the departments deems
21 relevant; and
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23 BE IT FURTHER RESOLVED that the Hawaii Department of
24 Education is requested to report findings and recommendations to
25 the Legislature no later than twenty days prior to the convening
26 of the Regular Session of 2014; provided that the Department of
27 Education is requested to include in its report:
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- 29 (1) A timeline for when specific grade levels will be able
30 to take assessments in language arts, mathematics, and
31 science in the Hawaiian language;
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- 33 (2) A summary of the discussion and any decisions
34 regarding exempting Hawaiian language immersion
35 schools from English language-based testing standards
36 and other No Child Left Behind mandates;
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- 38 (3) Any proposed legislation; and
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- 40 (4) Any requests for necessary funding; and
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42 BE IT FURTHER RESOLVED that certified copies of this
43 Resolution be transmitted to the Secretary of the United States
44 Department of Education, Superintendent of Education,



1 Chairperson of the Board of Education, President of the
2 University of Hawaii System, Chief Executive Officer of the
3 Office of Hawaiian Affairs, and Chief Executive Officer of
4 Kamehameha Schools.
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OFFERED BY: _____

A large, bold, handwritten signature in black ink, appearing to read "M. H. H." or similar, positioned above the "OFFERED BY:" line.A smaller, cursive handwritten signature in black ink, positioned below the "OFFERED BY:" line.